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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/722,793      | 11/26/2003  | Jung S. Moon         | 0807.68722          | 7220             |

7590 10/27/2005  
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EXAMINER

SIMONE, TIMOTHY F

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1761

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/722,793

Applicant(s)

MOON ET AL.

Examiner

Timothy F. Simone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

***The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.***

### ***Drawings***

Applicant should ensure that (1) all reference characters in the drawings are described in the detailed description portion of the specification and (2) all reference characters mentioned in the specification are included in the appropriate drawing Figure(s) as required by 37 CFR 1.84(p)(5).

### ***Specification***

The disclosure is objected to because of the following informalities:

On page 4, lines 16 and 26, "22" should be changed to read ---37---.

On page 12, line 20, "halls" should be changed to read ---hulls---.

Appropriate correction is required.

### ***Claim Objections***

Claims 9-14 and 18 are objected to because of the following informalities:

Claim 9, line 10, "leas" should be changed to read ---least---

Claim 18, line 2, "foot attach" should be changed to read ---feet attached--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 and 15-18 are rejected under 35 U.S.C. 112, first and second paragraphs, as failing to comply with the written description requirement. The "means provided in the base for supplying hot airflow into said roasting chamber" as recited in claim 1 and the "means for supplying heated airflow into said roasting chamber" as recited in claim 15 fail to comply with 35 USC 112 since the structure corresponding with the "means" has not been adequately described in the specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hatanaka, et al. (JP 04023976 A). Regarding claim 1, Hatanaka, et al. discloses a roaster for roasting coffee beans (Fig. 1) including a roasting chamber (14) having a top and a bottom, a cover (15) seated on the top of the roasting chamber, a base (e.g., the structure containing parts 2 and 3) on which the bottom of the roasting chamber (13) is seated, means (2,3) provided in the base for supplying hot airflow into the roasting chamber for heating coffee beans, at least one air opening (7) formed on the bottom for enabling the airflow to enter the roasting chamber, and a wind tunnel (13) provided over the at least one air opening and having an inlet and an outlet for increasing the speed of the airflow in the roasting chamber as the airflow passes through the wind tunnel. It is noted that the “means” has been broadly construed since the structure corresponding with the means has not been adequately disclosed in the specification. Regarding claim 9, Hatanaka, et al. discloses a wind tunnel (13) having an inlet and outlet (e.g., formed by the open upper and lower ends), and a plurality of support arms (e.g., the structure connecting element 13 to the roasting chamber 14). Thus, the features of the instantly rejected claims are structurally met by the reference. Regarding claim 15, Hatanaka, et

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al. discloses a roaster for roasting coffee beans including a roasting chamber (14), means (2,3) for supplying heated airflow into the roasting chamber, a cover (15) seated on top of the roasting chamber, at least one opening (e.g., at the uppermost end) provided on the cover and capable of allowing smoke from the roasting chamber to exit therefrom, and structure (16) capable of functioning as a smoke vent attachment removably mounted on the cover for receiving smoke exiting through the at least one opening on the cover, the vent attachment being configured and adapted to be removably connected to an elongated vent pipe for channeling the smoke away from the roaster (e.g., a cylindrical pipe having an inner diameter that is the same as the outer diameter of part 16). It is noted that the "means" has been broadly construed since the structure corresponding with the means has not been adequately disclosed in the specification.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents are cited for further teachings of devices whose structure is similar to that instantly disclosed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy F. Simone whose telephone number is 571-272-1407. The examiner can normally be reached on weekdays between 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 521-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy F. Simone  
Primary Examiner  
Art Unit 1761